

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
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MICHAEL MULGREW, as President of the UNITED FEDERATION OF TEACHERS, Local 2, American Federation of Teachers, AFL-CIO, VITO J. FOSSELLA, individually and in his capacity as Staten Island Borough President, PAUL CAMINITI, TROY McGHIE, MARTHA MAZIER, CARLY BIANCHINI, HANNAH CHOI, FRANK GARCIA, LINDSEY LAMPF,

24-cv-1644 (LJL)  
24-cv-367 (LJL)  
23-cv-10365 (LJL)

## ORDER

Plaintiffs,

-V-

UNITED STATES DEPARTMENT OF  
TRANSPORTATION, FEDERAL HIGHWAY  
ADMINISTRATION, SHAILEN BHATT, in his official  
capacity as Administrator of the Federal Highway  
Administration, RICHARD J. MARQUIS, in his official  
capacity as Division Administrator of the New York  
Division of the Federal Highway Administration, the  
METROPOLITAN TRANSIT AUTHORITY, the  
TRIBOROUGH BRIDGE AND TUNNEL  
AUTHORITY, the NEW YORK STATE  
DEPARTMENT OF TRANSPORTATION, the NEW  
YORK CITY DEPARTMENT OF TRANSPORTATION

## Defendants.

NEW YORKERS AGAINST CONGESTION  
PRICING TAX, DANNY BUZZETTA, DR. GREGOR  
WINKEL, LEE BERMAN, MEREDITH LeVANDE,  
RITA SUE SIEGEL, TOMMY LOEB, KATHRYN  
FREED, TREVER HOLLAND, RICKY YANG, PAUL  
ENG, BARUCH WEISS, ROBERT FRIEDRICH,  
KEVIN FORRESTAL, WARREN SCHREIBER,  
CHRISTOPHER RYAN, BEN MASON, DENNIS  
ROSARIO, RABBI Y.S. GINZBERG, JACOB  
ENGLANDER, AARON GONZALEZ, HOWARD  
CHIN, ELAINE LA PENNA, THOMAS ANTHONY  
SCARPACI, COUNCILMEMBER JOSEPH C.  
BORELLI, COUNCILMEMBER KRISTY  
MARMORATO, COUNCILMEMBER VICKIE  
PALADINO, COUNCILMEMBER JOANN ARIOLA,

COUNCILMEMBER SUSAN ZHUANG, :  
COUNCILMEMBER KALMAN YEGER, :  
COUNCILMEMBER INNA VERNIKOV, :  
COUNCILMEMBER DAVID CARR, :  
COUNCILMEMBER ROBERT F. HOLDEN, and :  
ASSEMBLYMEMBER DAVID WEPRIN, individually :  
and on behalf of all others similarly situated, :

Plaintiffs, :

-v- :

UNITED STATES DEPARTMENT OF :  
TRANSPORTATION, FEDERAL HIGHWAY :  
ADMINISTRATION, SHAILEN BHATT, in his official :  
capacity as Administrator of the Federal Highway :  
Administration, RICHARD J. MARQUIS, in his official :  
capacity as Division Administrator of the New York :  
Division of the Federal Highway Administration, :  
METROPOLITAN TRANSPORTATION AUTHORITY, :  
TRIBOROUGH BRIDGE AND TUNNEL :  
AUTHORITY, NEW YORK STATE DEPARTMENT :  
OF TRANSPORTATION, NEW YORK CITY :  
DEPARTMENT OF TRANSPORTATION and :  
TRAFFIC MOBILITY REVIEW BOARD, :

Defendants. :

-----X

ELIZABETH CHAN, TAMARA HOFFMAN, and DOES :  
1 through 200, :

Plaintiffs, :

-v- :

UNITED STATES DEPARTMENT OF :  
TRANSPORTATION, FEDERAL HIGHWAY :  
ADMINISTRATION, SHAILEN BHATT, in his official :  
capacity as Administrator of the Federal Highway :  
Administration, RICHARD J. MARQUIS, in his official :  
capacity as Division Administrator of the New York :  
Division of the Federal Highway Administration, LISA :  
GARCIA, in her official capacity, STEPHEN :  
GOODMAN, in his official capacity, ALLISON L.C. DE :  
CERRENO Ph.D., in her official capacity, NICHOLAS :  
A. CHOUBAH, P.E., in his official capacity, WILLIAM :

J. CARRY, in his official capacity, and DOES 1 through :  
10. :  
: Defendants. :  
-----X

LEWIS J. LIMAN, United States District Judge:

The parties shall confer and file a proposed schedule by June 27, 2024 for supplemental briefing on how the FHWA's June 14, 2024 reevaluation affects the pending motions regarding Count Two in each of the above-captioned cases. The proposed schedule shall include the compilation and circulation of a supplemental appendix with the reevaluation and accompanying appendices.

SO ORDERED.

Dated: June 18, 2024  
New York, New York

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LEWIS J. LIMAN  
United States District Judge